

Expiration Date

The expiration date of the permit has not changed. The permit, as modified, will expire at midnight on November 30, 2011.

Drafted by: Jason House
October 2008

POST PUBLIC NOTICE ADDENDUM: November 2008

The draft NPDES permit modification for the City of Jeffersonville Wastewater Treatment Plant was made available for public comment from October 13, 2008 through November 13, 2008 as part of Public Notice No. 2008-10A-RD. During this comment period, a comment letter dated November 10, 2008, from the Honorable Thomas Galligan, Mayor of the City of Jeffersonville, was received. Additionally, a comment letter dated November 13, 2008, from Jessica Dexter, Staff Attorney, Environmental Law and Policy Center, was received. The comments submitted by Mayor Galligan and Jessica Dexter and this Office's corresponding responses are summarized below: Any changes to the permit and/or fact sheet are so noted below.

City of Jeffersonville comments:

Comment: Page 1 – Discharge location
In the authorization to discharge from the combined sewer overflows (CSO), the permit lists the receiving waters, which includes an unnamed ditch.
Jeffersonville's CSO points do not discharge to an unnamed ditch.

Response: Reference to an unnamed ditch has been removed from Page 1 of the permit.

Comment: Page 2 – Part I.A.1 – Effluent Limitations and Monitoring Requirement
The City of Jeffersonville is in the process of upgrading and expanding the capacity of the wastewater treatment plant from an average design flow of 6.0 MGD (with a peak capacity of 25.0 MGD) to an average design flow of 9.0 MGD (with a peak capacity of 34.0 MGD). The City requests that this upgrade be included in the permit modification.

Response: The upgrade has been included in the permit modification.

Environmental Law and Policy Center comments:

Comment: This permit should include a phosphorus limit of 1 mg/L or less for the new outfall 022 that would redirect the main discharge of the treatment plant to Mill Creek. Since phosphorus removal technology is readily available, the commenter believes that allowable degradation exceptions cannot be met by the discharger, and that a phosphorus limit therefore must be included in the permit.

Response: Currently Indiana's rules for phosphorus control are contained in two different sections of 327 IAC 5. 327 IAC 5-10-2 & 327 IAC 5-10-4 define the applicability of the requirement for phosphorus removal and limitations. From this Office's review of these rules it has been determined that phosphorus removal and limitations are not required because the rules do not apply to the discharge from the City of Jeffersonville WWTP. Therefore, no changes have been made to the permit due to this comment.

Comment: The relocation of the outfall constitutes a new/increased discharge of pollution into Mill Creek. Antidegradation regulations prohibit degradation of existing water quality unless it can be shown that the increase is necessary to accommodate important social or economic development.

Response: The planning process for this facility's upgrade and outfall relocation incorporated the antidegradation principles mentioned in the comment above. The information pertaining to the planning for the facility upgrade and outfall relocation was not documented and submitted with the NPDES permit application. However, IDEM requested that the City of Jeffersonville submit a demonstration which provided justification as to the need to upgrade the facility and relocate the outfall to a new receiving water. After review of the justification provided by the City of Jeffersonville, IDEM believes that it satisfies the requirement of 327 IAC 2-1-2. The proposal to change the outfall location and upgrade the facility provides for additional wet weather treatment and provides for sewage treatment for unsewered areas. These proposals provide an overall benefit for public health and the environment. The justification provided by the City of Jeffersonville has been added to this Fact Sheet as an attachment.

The changes made to the permit modification are substantial and necessitate an additional public comment period.

Drafted by: Jason House
December 2008